

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 2007-22-T - ORDER NO. 2007-185

MARCH 20, 2007

IN RE: Application of Judy White d/b/a J & W)	ORDER DISMISSING
Moving, 38 Cunningham Drive, Honea Path,)	APPLICATION
South Carolina 29654 (District 3) for a Class)	
E (Household Goods) Certificate of Public)	
Convenience and Necessity.)	

This matter comes before the Public Service Commission of South Carolina (the Commission) on the Motion of the Office of Regulatory Staff (ORS) to dismiss the Application of Judy White d/b/a J & W Moving (J & W Moving or the Applicant) as the result of the failure of the Applicant to comply with certain rules of this Commission relative to the above-captioned docket.

On January 5, 2007, J & W Moving filed with the Commission an Application for a Class E Certificate of Public Convenience and Necessity. Subsequently, the Commission's Docketing Department by letter of January 16, 2007, informed the Applicant of the publication requirements set forth in Commission Regulation 103-821(C)(3)(a). By this letter, J & W Moving was advised that the Notice of Filing, enclosed with the letter, was to be published no later than February 2, 2007, in a newspaper(s) of general circulation in the service area specified in its Application. It was also informed that the original publishers' affidavits of this notice must be filed with the Commission no later than February 13, 2007. Additionally, J & W Moving was further

advised that failure to comply with the publication requirements may result in dismissal of its Application.

On February 26, 2007, ORS filed its Motion to Dismiss the Application of J & W Moving for failure to file proof of publication as required by the Commission's regulations. ORS states that the Commission's docket management system does not evidence filing of proof of publication by J & W Moving and that the February 13, 2007 deadline set by the Commission has not been met. ORS adds that as of the date of the filing of ORS' Motion to Dismiss, ORS also has not received proof of publication from J & W Moving. For these reasons, ORS requests that the Application of J & W Moving for a Class E Certificate of Public Convenience and Necessity for Operation of a Motor Carrier Vehicle be dismissed for failure to comply with the regulations of the Commission.

After due consideration, the Commission finds that J & W Moving has failed to comply with the publication requirements as set forth in Commission Regulations 103-132 and 103-821(C)(3)(a) and that the Applicant's compliance with the publication requirements was clearly expressed to J & W Moving as a condition precedent to proceeding in the processing of the application. We, therefore, grant ORS' Motion to Dismiss

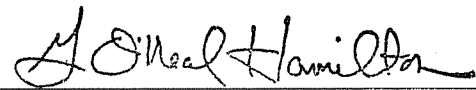
IT IS THEREFORE ORDERED:

1. That the South Carolina Office of Regulatory Staff's Motion to Dismiss is hereby granted.

2. That the Application of Judy White d/b/a J & W Moving for a Class E (Household Goods) Certificate of Public Convenience and Necessity for Operation of a Motor Vehicle Carrier is hereby dismissed.

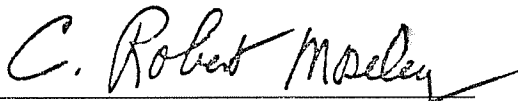
3. That this Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:



G. O'Neal Hamilton, Chairman

ATTEST:



C. Robert Moseley, Vice Chairman

(SEAL)